

REMARKS/ARGUMENTS

In the Office Action dated February 10, 2005, Claims 1-14 are pending. Claims 1-8 are allowed. Claims 9-14 are rejected under 35 U.S.C. § 102(b) or 103(a) as being unpatentable over U.S. Patent No. 5,403,150 to McEachern, Jr., et al., alone or in view of U.S. Patent No. 5,145,334 to Gutknecht. The Examiner has also noted that no explanations have been provided for the non-English references submitted in the Information Disclosure Statements filed March 18, 2004 and August 30, 2004, and therefore, those references have not been considered.

Applicants have amended Claim 9 above and respectfully submits that Claim 9 is allowable over the cited references. In particular, Claim 9 as amended recites a method for manufacturing a turbocharger, including providing a center housing having a housing body with a mounting flange, the mounting flange being formed from a monolithic member with the housing body. McEachern, Jr., et al., on the other hand, describes a turbocharger with a heat insulating system, including a convoluted turbine backplate **40**, that is not formed from one monolithic member with a bearing housing **12**. See Figures 1 and 2. In fact, according to McEachern, Jr., et al., the backplate **40** defines threaded apertures for receiving conventional fasteners to fasten the bearing housing **12** to the backplate. See col. 3, lines 53 to 56. Further, McEachern, Jr., et al. teaches that the backplate **40** and bearing housing **12** are formed of dissimilar materials, and therefore it would not have been obvious to form the two parts from a monolithic member as claimed. Similarly, Gutknecht does not teach forming a mounting flange and housing body from a monolithic member as claimed. Accordingly, Applicants respectfully submit that Claim 9, and dependent Claims 10-14, are allowable over the cited references.

Finally, with regard to the Examiner's refusal to consider the previously cited German reference, DE 19881157 T1, Applicants note that the Examiner has considered the other art cited on the Information Disclosure Statements and hereby withdraw DE 19881157 T1 from consideration.

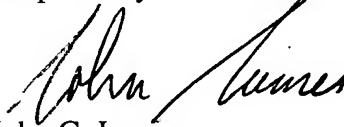
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CONCLUSION

The Applicants have made a significant contribution to the art that is neither taught nor suggested by the cited prior art references. In addition, all of the objections and rejections to the claims for formalities have been addressed. Thus it is suggested that the application is now in condition for immediate allowance and such action is respectfully solicited. Should the Examiner have any questions or comments, he is invited to telephone the undersigned to expedite allowance of the application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,


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May 3, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.


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